

**Bylaws of the  
Smithton Public Library District  
Board of Trustees**

**These bylaws shall be considered Policy of the Smithton Public Library District**

**Adopted by resolution of the Board, September 15, 2011.**

**Table of Contents**

**Library Mission .....2**

**Board of Trustees.....2**

**Responsibilities of the Board.....3**

**Qualification, Appointment, and Tenure .....3**

Vacancies..... 3

Oath of Office..... 3

Resignation..... 4

Orientation..... 4

Conflict of Interest..... 4

**Board Officers.....4**

Election and Term of Office..... 4

*Resignation, Removal and Vacancies* ..... 4

Duties of Officers ..... 5

*President* ..... 5

*Vice-President*..... 5

*Secretary* ..... 5

*Treasurer*..... 5

**Meetings of the Board of Trustees .....6**

Regular Meetings ..... 6

Special Meetings ..... 6

Board Meeting Rules..... 6

*Quorum* ..... 6

*Remote Participation at Meetings*..... 6

*Electronic Meetings Policy*..... 7

*Conduct of Meeting*..... 7

*Agenda* ..... 7

*Suspension of the Rules*..... 7

*Citizen Participation*..... 7

*Motions*..... 7

*Closed Sessions*..... 8

*Adjournment*..... 8

*Robert’s Rules of Order* ..... 8

**Board Committees .....8**

Executive Committee ..... 8  
 Finance Committee..... 8  
 Personnel Committee ..... 9  
 Special Committees ..... 9  
 Quorum for a Committee..... 9  
 Committee Reports..... 9  
**Adoption and Amendment of the Bylaws ..... 9**  
**Appendix ..... 9**  
 Basic Order for Handling Motions ..... 9  
 Chart of Motions ..... 11

Incidental Motions - no order of precedence. Arise incidentally and decided immediately.

YOU WANT TO:	YOU SAY:	INTERRUPT?	2 <sup>ND</sup> ?	DEBATE?	AMEND?	VOTE?
§23 Enforce rules	Point of order	Yes	No	No	No	None
§24 Submit matter to assembly	I appeal from the decision of the chair	Yes	Yes	Varies	No	Majority
§25 Suspend rules	I move to suspend the rules which ...	No	Yes	No	No	2/3
§26 Avoid main motion altogether	I object to the consideration of the question	Yes	No	No	No	2/3
§27 Divide motion	I move to divide the question	No	Yes	No	Yes	Majority
§29 Demand rising vote	I call for a division	Yes	No	No	No	None
§33 Parliamentary law question	Parliamentary inquiry	Yes (if urgent)	No	No	No	None
§33 Request for information	Point of information	Yes (if urgent)	No	No	No	None

Motions That Bring a Question Again Before the Assembly - no order of precedence. Introduce only when nothing else pending.

§34 Take matter from table	I move to take from the table ...	No	Yes	No	No	Majority
§35 Cancel or change previous action	I move to rescind/ amend something previously adopted...	No	Yes	Yes	Yes	2/3 or maj. w/ notice
§37 Reconsider motion	I move to reconsider the vote ...	No	Yes	Varies	No	Majority

Open Meetings Act and the Agenda..... 11  
 The Library Director Search Process ..... 12  
*The role of the outgoing Library Director* ..... 12  
 Gifts and Condolences..... 13  
 Ethics Statement for Public Library Trustees..... 13

## Library Mission

The Smithton Public Library District provides a gateway to information resources with the goal of promoting education and knowledge and fostering a lifelong desire to read and learn.

## Board of Trustees

The Board shall have all of the powers of a board of public library trustees granted under 75 ILCS (Illinois Compiled Statutes) 16 § 30 et seq. In accordance with the obligations

described in Illinois Library Law, the Library shall be governed by a Board of seven Trustees.

## **Responsibilities of the Board**

Legal and financial responsibility for the operations of the Library is vested in the Board. Subject to existing statutes, the powers of the Board include but are not limited to: 1) determining rules and regulations governing library services; 2) exercising exclusive control of all expenditures of money credited to the library fund, and any grant, gift or endowment funds provided for library purposes; 3) determining the property tax levy required to support the Library within the law; and 4) hiring, evaluating and, if necessary, dismissing the Library Director.

The Board may adopt such policies, rules and regulations for the conduct of its business as shall be deemed advisable or necessary and may, in the execution of the powers granted, appoint such agents as it may consider necessary.

## **Qualification, Appointment, and Tenure**

To qualify to run for election to the Board, candidates must live within the boundaries of the District and follow the procedures to be placed on the ballot. Consistent with 75 ILCS 16 § 30-10, Trustees shall be elected every two years to a four-year term.

## **Vacancies**

A vacancy is declared if an elected or appointed trustee (i) declines or is unable to serve, (ii) becomes a nonresident of the district, (iii) is convicted of a misdemeanor by failing, neglecting, or refusing to discharge any duty imposed upon him or her by 75 ILCS 16, or (iv) has failed to pay the library taxes levied by the district. Absence without cause from all regular board meetings for the period of one year shall be a basis for declaring a vacancy.

Vacancies are filled by appointment by the remaining trustees until the next regular library trustee election, at which time a trustee shall be elected for the remainder of the expired term.

## **Oath of Office**

The Oath of Office must be taken with 74 days of election, reelection, or appointment. The required Oath is to be taken before a notary or the Secretary of the board. (75 ILCS 16 § 30-40).

The required Oath of Office shall be: “I do solemnly swear (affirm) that I will support the Constitution of the United States, and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of Smithton Public Library District Trustee to the best of my ability.”

## Resignation

Any Trustee may resign at any time by giving written notice to the President or Secretary. Such resignation shall be effective when the notice is delivered unless the notice specifies a future date; and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

## Orientation

The Smithton Public Library District Board of Trustees will conduct a formal orientation for all new Library Board members. Library Board members should review orientation material at the beginning of subsequent terms. See *Serving Our Public 4.0*, Appendix I.

## Conflict of Interest

Any conflict of interest on the part of any Trustee shall be disclosed to the Board when the interest becomes a matter of Board action. Any Trustee having a conflict of interest shall not vote or use his or her personal influence on the matter, and shall not be counted in determining the quorum for the meeting for that vote. The minutes of the meeting shall reflect that a disclosure was made, the abstention from voting, and the quorum situation. Any new Trustee will be advised of this policy upon assuming the duties of office.

Trustees will not engage in economic activity that involves the use or sale of information gained in the course of official duties in addition to any applicable provisions of the State Officials and Employees Ethics Act (5 ILCS 430/1-1 et seq.).

## Board Officers

The Officers of the Library shall consist of a President, a Vice-President, Secretary and a Treasurer. No Trustee shall hold more than one office at any one time.

## Election and Term of Office

Election of officers is to be conducted at the regular June Board meeting each year. The Library Director shall collect interest statements from each board member and prepare the slate of candidates. Further nomination may be made from the floor before the election of office. Votes for officers are conducted by a show of hands.

The terms of newly elected officers shall begin on July 1. Officers shall serve a term of one year or until their successors are duly elected. No Trustee shall hold more than one office at any one time.

## Resignation, Removal and Vacancies

Any officer may resign from office at any time by giving written notice to the President or Secretary. Such resignation shall be effective when the notice is delivered unless the notice specifies a future date; and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Any officer duly elected or appointed may be removed by a majority of a quorum of the eligible voting members whenever in its judgment the best interests of the Library would be served thereby.

A vacancy in an office, other than President, shall be filled by a vote of the Board, and the Trustee elected shall serve for the remainder of the term of the officer he or she replaces. No name shall be placed in nomination without the consent of the nominee.

## **Duties of Officers**

### **President**

The President shall preside at all meetings of the Board, appoint committees as needed, nominate all committee members and Board representatives for Board approval, serve as an ex-officio member with vote on all committees, serve as principal Board liaison to the Library Director, sign official documents including contracts, and assume such other duties as directed by the Board. The President shall be the official speaker or shall designate a speaker for the Board in matters of public interest.

### **Vice-President**

In the absence or inability of the President to act, or due to a vacancy in the office of the President, the duties of the President shall be performed by the Vice-President.

### **Secretary**

The Secretary shall cause minutes to be kept of all Board meetings. The Secretary shall cause approved minutes to be posted to the Library website. The Secretary and President shall sign such official papers as are necessary, including, but not limited to contracts, grant applications, and leases. The Secretary shall monitor the official manual of Board-approved bylaws and policies. In the absence of the President and Vice-President, the Secretary shall serve as President. In the absence of the Secretary, the President shall appoint a secretary pro-tempore.

### **Treasurer**

The Treasurer shall serve as the Board's financial officer and Chair of the Finance Committee. The Treasurer shall cause to be received and safely kept all monies belonging to the Library in depositories approved and designated by the Board, in the name of the Library or in such other investments as may be authorized by law, and shall cause the disbursement of the same only upon the authority of the Board.

The Treasurer shall cause to have prepared a monthly report to the Board of all receipts and disbursements and shall have submitted at the first meeting of the Board in the fiscal year a detailed statement showing all receipts and disbursements during the preceding year.

The Treasurer shall cause to have prepared all financial reports required to be submitted to the local, state or federal governments.

The Treasurer shall be bonded for an amount no less than 50% of receipts collected during the previous fiscal year pursuant to 75 ILCS 5 § 4-9.

In the absence of the Treasurer or when s/he is unable to serve, the President or Vice-President may perform the duties of the Treasurer.

## Meetings of the Board of Trustees

All Board meetings shall meet the requirements of the Illinois Open Meetings Act (5 ILCS 120/2(c) et seq.). The law defines “meeting” as “any gathering of a majority of a quorum of the members of a public body held for the purpose of discussing public business.” Three members of the Board constitute a majority of the quorum and a meeting thereof (including when the discussion occurs via electronic communication) and is therefore subject to the Open Meetings Act.

### Regular Meetings

Each May a regular meeting schedule for the subsequent fiscal year will be established by the Board and posted. The Board shall typically meet on the third Thursday of the month, at 7:00 pm, at the Smithton Public Library.

### Special Meetings

Special meetings of the Board may be called by the President, or upon the written request of three Trustees, given proper notice as specified in the Open Meetings Act. Notices shall be sent at least three days before the meeting, and no business shall be transacted other than stated in the notice.

### Board Meeting Rules

#### Quorum

For the transaction of business at any meeting of the Board, four Trustees who are present shall constitute a quorum. A meeting can continue, but no action can take place, if a quorum is not present.

#### Remote Participation at Meetings

In accordance with 5 ILCS 120/7(c) and 5 ILCS 120/7(a), when a quorum is physically present, and Under limited circumstances, Trustees unable to be physically present at a public meeting may participate in the meeting via communication devices. Communication devices include, without limitation, audio and/or video equipment which allows all Trustees and other meeting participants to interact on all motions, discussions and votes. The limited circumstances which allow a Trustee to participate via communication devices are personal illness or disability, employment purposes **or the business of the public body,** family emergency or other emergency **or unexpected childcare obligations.** A Trustee wishing to attend via communication devices must give advance notice to the Board Secretary of the desire to attend via communication devices (unless notice is impractical). The circumstances supporting use of communication devices shall be announced at the start of a meeting and such circumstances shall be noted in the minutes of the meeting.

#### [5 ILCS 120/7\(c\)](#)

#### [5 ILCS 120/7\(a\)](#)

Edited Remote Attendance Section per Board approval at the September 21, 2023 Board Meeting.

### **Electronic Meetings Policy**

Committees of the Board may meet via electronic means provided that the meeting follows the rules set by the Open Meetings Act.

### **Conduct of Meeting**

The President shall preserve order and decorum and decide questions of order. In the case of disturbance or disorderly conduct, the President shall have the power to: (1) remove the offenders, (2) clear the board room of all spectators, or (3) suspend or adjourn the meeting.

### **Agenda**

The first order of business shall be the President's ascertaining if there is a quorum present. If so, the President shall call the meeting to order. The Board shall proceed to conduct the business before it, normally in the following order:

- Citizen Comment
- Approval of the minutes of the preceding meeting
- Information/Communications
- Treasurer's Report/Paying of the bills
- Librarian's Report
- Unfinished Business
- Committee Reports
- New Business
- Adjournment

The President may vary the order of business.

### **Suspension of the Rules**

Any rule or policy of the Board, whether contained in these bylaws or otherwise, may be suspended temporarily in connection with business at hand, but such suspension, to be valid, may be taken only at a meeting at which two-thirds of those present shall so approve.

### **Citizen Participation**

The Board shall provide a period not to exceed 15 minutes at the beginning of the order of business for citizen comment. Prior to the beginning of the meeting, interested citizens should indicate their desire to speak by signing their name and address on a form. The President will allocate the 15 minute period equally among those persons. A person addressing the Board shall limit comments to items within the jurisdiction of the Library Board.

### **Motions**

A motion is not before the Board until it has been seconded. A motion may be withdrawn by the proposer at any time before a vote is called.

All authorizations to spend money or levy a tax shall be passed only by a roll call vote duly recorded.

An amendment to modify an original motion shall be in order, but no amendment shall be made that changes the intent of the original motion.

A majority of a quorum of the Trustees present and voting is required to carry any motion unless otherwise provided in the bylaws.

All motions involving the expenditure of funds or the levy of taxes must be approved by a roll call vote.

All motions involving the hiring or dismissal of the Library Director must be approved by five Trustees by a roll call vote.

### **Closed Sessions**

All meetings of the Board and its committees shall be open to the public and to the press except closed sessions as authorized by the Open Meetings Act (5 ILCS 120/2(c) et seq.)

The closed session must be approved in open meeting by a majority vote and the purpose of the closed session recorded in the minutes of the open meeting.

Only topics specified in the vote to close may be considered in the closed session. No final action may be taken at a closed session.

All proceedings of a closed session shall be kept in strict confidence by all those in attendance.

Closed sessions shall be recorded through audio or video means and such recordings shall be preserved for at least eighteen months and shall only be destroyed after the Board has approved and made public the minutes of the closed session.

Under the Open Meetings Act, the minutes of all closed sessions will be reviewed by the Board at their regular June and December meetings as to whether or not the minutes should remain sealed or can be publicly disclosed (5 ILCS 120/2.06).

### **Adjournment**

A motion to adjourn the Board shall always be in order except while a vote is being taken. A motion to adjourn cannot be amended or debated, but a motion to adjourn to a specific date or time may be amended and debated.

### **Robert's Rules of Order**

The rules of parliamentary procedure in the latest edition of Robert's Rules of Order shall govern the Board in all cases.

## **Board Committees**

### **Executive Committee**

The officers of the Board shall constitute an Executive Committee, which shall act on behalf of and at the direction of the Board between meetings. The Executive Committee is chaired by the President.

### **Finance Committee**

The Finance Committee shall determine the financial needs of the Library and work with the Library Director in the preparation and presentation of the annual budget. The Finance Committee shall be chaired by the Treasurer.



## **Personnel Committee**

The Personnel Committee shall set wages of library personnel on the recommendation of the Library Director, review staff performance evaluations, and evaluate the performance of the Library Director. In the case of a vacancy in the Library Director position, the Personnel Committee shall conduct a search for a qualified Director and arrange interviews for qualified applicants to meet with the full Board. The Personnel Committee is chaired by the President.

## **Special Committees**

Other committees may be designated by the President, who shall appoint members to special and ad hoc committees as deemed appropriate. Any committee member may be removed by the person or persons authorized to appoint committee members whenever, in their judgment, the best interests of the Library shall be served by such removal.

## **Quorum for a Committee**

A majority of the total membership of any committee shall constitute a quorum.

## **Committee Reports**

Minutes will be kept of all committee meetings and will be presented at the next regularly scheduled Board meeting.

## **Adoption and Amendment of the Bylaws**

These bylaws shall be adopted by a two-thirds affirmative vote of the Trustees present at the meeting at which they are presented, having been available for review by the Trustees for no less than one week.

These bylaws may be amended with one month's notice in writing of the proposed amendment at any regular meeting of the Board of Trustees, by a two-thirds affirmative vote of the Trustees present. A copy of the proposed amendment must accompany the call of the meeting.

## **Appendix**

### **Basic Order for Handling Motions**

Any Trustee other than the Chairman may make a motion and second a motion in accordance with the business at hand. Spectators are not to participate in

1. A member seeks recognition for the floor
2. Chairman recognizes the member (member obtains the floor)
3. Member makes a motion
4. Another member seconds the motion
5. Chairman states the question
6. Debate (amendment and secondary motions. No discussion, debate, or comment once closed.)
7. Chairman puts the question to a vote

8. Chairman announces the result of the vote

When an order of business is presented and no Trustee moves for an action, the Chairman may solicit a motion.

Example 1: “Would someone like to move to take final action to approve Ordinance 11-03 as written?”

Example 2: “Would some like to move to accept the Resolution to Adopt the Circulation Policy as presented?”

## Chart of Motions

### *Parliamentary Motions Guide* Based on *Robert's Rules of Order Newly Revised (10<sup>th</sup> Edition)*

The motions below are listed in order of precedence. Any motion can be introduced if it is higher on the chart than the pending motion.

YOU WANT TO:	YOU SAY:	INTERRUPT?	2 <sup>ND</sup> ?	DEBATE?	AMEND?	VOTE?
§21 Close meeting	I move to adjourn	No	Yes	No	No	Majority
§20 Take break	I move to recess for	No	Yes	No	Yes	Majority
§19 Register complaint	I rise to a question of privilege	Yes	No	No	No	None
§18 Make follow agenda	I call for the orders of the day	Yes	No	No	No	None
§17 Lay aside temporarily	I move to lay the question on the table	No	Yes	No	No	Majority
§16 Close debate	I move the previous question	No	Yes	No	No	2/3
§15 Limit or extend debate	I move that debate be limited to ...	No	Yes	No	Yes	2/3
§14 Postpone to a certain time	I move to postpone the motion to ...	No	Yes	Yes	Yes	Majority
§13 Refer to committee	I move to refer the motion to ...	No	Yes	Yes	Yes	Majority
§12 Modify wording of motion	I move to amend the motion by ...	No	Yes	Yes	Yes	Majority
§11 Kill main motion	I move that the motion be postponed indefinitely	No	Yes	Yes	No	Majority
§10 Bring business before assembly (a main motion) ...	I move that [or "to"] ...	No	Yes	Yes	Yes	Majority

Incidental Motions - no order of precedence. Arise incidentally and decided immediately.

YOU WANT TO:	YOU SAY:	INTERRUPT?	2 <sup>ND</sup> ?	DEBATE?	AMEND?	VOTE?
§23 Enforce rules	Point of order	Yes	No	No	No	None
§24 Submit matter to assembly	I appeal from the decision of the chair	Yes	Yes	Varies	No	Majority
§25 Suspend rules	I move to suspend the rules which ...	No	Yes	No	No	2/3
§26 Avoid main motion altogether	I object to the consideration of the question	Yes	No	No	No	2/3
§27 Divide motion	I move to divide the question	No	Yes	No	Yes	Majority
§29 Demand rising vote	I call for a division	Yes	No	No	No	None
§33 Parliamentary law question	Parliamentary inquiry	Yes (if urgent)	No	No	No	None
§33 Request for information	Point of information	Yes (if urgent)	No	No	No	None

Motions That Bring a Question Again Before the Assembly - no order of precedence. Introduce only when nothing else pending.

§34 Take matter from table	I move to take from the table ...	No	Yes	No	No	Majority
§35 Cancel or change previous action	I move to rescind/ amend something previously adopted...	No	Yes	Yes	Yes	2/3 or maj. w/ notice
§37 Reconsider motion	I move to reconsider the vote ...	No	Yes	Varies	No	Majority

### **Open Meetings Act and the Agenda**

The Open Meetings Act restricts ACTION to items on the posted agenda. However, the board may consider items that are not on the agenda and discuss. These items will then be placed on the next meeting's agenda under "Unfinished Business" for action.

### **The Library Director Search Process**

There are few actions that a Board undertakes as important to the successful operation of the Library District than the hiring of a qualified Library Director.

To assist the Personnel Committee with the search process, the following guidelines are presented:

Using the position description for Library Director found on the Employee Handbook, advertise the job opening and requirements of application on the Smithton Public Library District's website, with the Library System, the Illinois Library Association, as well as local newspapers such as the Belleville News-Democrat and St. Louis Post-Dispatch. Also, send notice to the Library Schools at the University of Illinois at Urbana-Champaign and the University of Missouri. This should ensure a broad and qualified applicant pool.

After the application closing date, the Personnel Committee should evaluate the applications and select no more than five and no fewer than three candidates to be interviewed.

Candidates are first interviewed by the Library Staff, who will evaluate them using a scale determined by the Personnel Committee. Candidates are finally interviewed by the full Board, who will take Staff comments into consideration when making the final decision

### **The role of the outgoing Library Director**

When possible, the outgoing Library Director will assist the Personnel Committee with writing and posting position announcements and with selecting finalists to be interviewed.

It would be of great benefit to the District and to any new hire if the outgoing Library Director is able to remain at SPLD for the purposes of training and orientating the new Library Director. Such orientation shall include, but not be limited to: all documents provided during Board orientation and explanation thereof, including: Policies, Library Budgets, Annual Reports, etc., introduction to Library staff and patrons, transference of keys, documents, and computer passwords, explanation of current Library procedures, explanation of the Library budget and financial operations, establishment of the new hire as a signer on Library accounts, and answering what questions the new hire may have outside of the initial scope of the orientation.

During this orientation period, which is to last no less the two working days and no more than five working days, the new hire will serve as Assistant Library Director to the outgoing Library Director.

## Gifts and Condolences

The following statement shall be policy of the Smithton Public Library District:

Assuming availability of funds, the Executive Committee of the Board of Trustees may approve gifts of not more than \$100 per instance for employees and volunteers of the Smithton Public Library District for the purpose of a) Holiday Bonus, or b) special events such as a birth or marriage.

Additionally, condolence gifts of not more than \$25 per instance may be sent at the discretion of the Library Director in the event of a death in the household of a Library Trustee, employee, or volunteer. The Board President may authorize a larger gift if the situation warrants.

All monies spent on gifts shall come from funds other than tax monies. Appropriate funds include and are limited to: Photocopy, fax, and miscellaneous income (includes Fines and Fees, excludes Gifts and miscellaneous donations).

## Ethics Statement for Public Library Trustees

The following statement shall be policy of the Smithton Public Library District:

Trustees, in the capacity of trust upon them, shall observe ethical standards with absolute truth, integrity, and honor.

Trustees must avoid situations in which personal interests might be served or financial benefits gained at the expense of library users, colleagues or the institution.

It is incumbent on any trustee to disqualify himself or herself immediately whenever the appearance of a conflict of interest exists.

Trustees must distinguish clearly in their actions and statements between their personal philosophy and attitudes and those of the institution, acknowledging the formal position of the board even if they personally disagree.

A trustee must respect the confidential nature of library business while being aware of and in compliance with applicable laws governing freedom of information.

Trustees must be prepared to support to the fullest the efforts of librarians in resisting censorship of library materials by groups or individuals.

Trustees who accept library board responsibilities are expected to perform all of the functions of library trustees.

*Approved by the PLA Board of Directors and the ALTA Board of Directors (both divisions of the American Library Association) on July 8, 1985.*